

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION**

**MDL NO. 2327**

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**THIS DOCUMENT RELATES TO ALL CASES**

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**STEVE FARIES' APPLICATION FOR APPOINTMENT  
TO THE PLAINTIFFS' STEERING COMMITTEE**

I respectfully submit this application for Appointment to the Plaintiffs' Steering Committee ("PSC") in the MDL proceedings. This application is being made in conjunction with the PSC application of Paul D. Stevens of Milstein Adelman, LLP, my co-counsel and partner in the civil cases in this litigation.<sup>1</sup>

I am a senior attorney at Kabateck Brown Kellner, LLP, ("KBK") and supervise the firm's mass torts department. I am licensed to practice law in the State of Texas and admitted to practice law in the United States District Courts for the Eastern and Southern Districts of Texas and in the United States District Court for the Northern District of Florida. KBK is a fourteen lawyer firm in Los Angeles, California that has diligently and successfully represented tens of thousands of plaintiffs in complex actions, including pharmaceutical drugs and medical devices mass torts. I and other attorneys at KBK in the past have held or presently hold PSC or similar leadership positions in complex national litigations consolidated in state and federal

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<sup>1</sup> *Hayes v. American Medical Systems*, Civil Action No. 2:12-cv-00915; *Lange v. Boston Scientific*, Civil Action No. 2:12-cv-00926; and *Wilson v. Ethicon, Inc.*, Civil Action No. 2:12-cv-00921.

courts. KBK provides its attorneys the financial resources, staffing, and support systems necessary to participate in litigation leadership teams.

I dedicated eight years (2003-2011) to the PSC for *In Re: Prempro Product Liability Litigation* (MDL No. 1507) before concluding my involvement with settlement of the firm's cases. The *Prempro* MDL involved thousands of women's use of menopausal hormone replacement therapy prescription drugs and their subsequent diagnosis of breast cancer. I accumulated thousands of hours and logged hundreds of thousands of airline miles working on about every conceivable type of PSC responsibility, task, or project. My contributions, teamwork, and cooperation through eight years of intense discovery, motion practice, hearings, and bellwether trials earned the recognition of PSC members and the professional respect of defense counsel.

**a. Applicant's Willingness and Availability to Commit to a Time Consuming Project.**

I am willing and able to fulfill the demanding requirements of service on a pelvic mesh PSC. My firm and that of my co-counsel and partner Paul D. Stevens have already invested hundreds of hours of attorney and paralegal time in researching, evaluating, and initiating civil actions in this litigation. Together, we are investigating approximately 1,350 pelvic mesh cases in addition to those we have already filed. While I have active cases in several pharmaceutical drugs and medical devices litigations, I have chosen pelvic mesh as my primary focus and am willing to commit to this litigation for its duration and am available to do so because I am no longer devoted to the *Prempro* litigation.

**b. Ability to Work Cooperatively with Others.**

I have extensive experience in working cooperatively and cohesively with others in MDLs and simultaneously with the concurrent state court leadership teams. Indeed, I know and

have worked with a number of attorneys applying for pelvic mesh PSC appointments and look forward to working with them plus other attorneys that I have not yet met. I understand the fundamentals of what is required for the successful organization and management of a pelvic mesh PSC and will work collaboratively in prosecuting the litigation on behalf of all of the plaintiffs.

**c. Professional Expertise in This Type of Litigation.**

I manage pharmaceutical drugs and medical devices mass tort cases. I acquired the expertise and deep respect of women's healthcare litigation with eight years of service in the *Prempro* MDL. I have years of direct experience in pursuing and accomplishing the roles and responsibilities of a PSC in this type of litigation.

I believe my experiences and my will do/can do commitment to the pelvic mesh litigation as set for in this application meet your Honor's main criteria for PSC membership. Accordingly, I respectfully request appointment to the Plaintiffs' Steering Committee.

DATED: March 30, 2012

Respectfully submitted,

By:



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